



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas Berger

Group Art Unit: 3629

Serial No.: 10/672,493

Examiner: Cumarasegaran, Vern

Filed: 09/26/2003

Attorney Docket: 1685-3

Title: ABANDONED PROPERTY ESCHEAT ASSIGNMENT AND REPORTING
SYSTEM

I hereby certify that this correspondence is being deposited on this day with
the United States Postal Service as first class mail in an envelope addressed
to: Commissioner for Patents, Alexandria, VA 22313-1450.


Thomas M. Galgano


Date

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMENTS ON REASONS FOR ALLOWANCE


In the REASONS FOR ALLOWANCE, the Examiner states that "Prior art teaches the concept of determining the geographical state of the correct escheat by comparing a property owner address to a US poster [sic.] service database."

The applicant believes that there is no art of record to support this statement. The claim limitation "US Postal Service certified data base" used in conjunction with determining an escheat state was disregarded by the Examiner on the erroneous grounds that it is "non-functional descriptive language". See page 4 of the Final Rejection dated December 8, 2008 and page 3 of the Non-Final Rejection dated June 4, 2009. It was never shown by the Examiner to be taught in the prior art. The amendments made to

obtain the Notice of Allowance were made as a compromise to put an end to a protracted and difficult prosecution and are not to be taken as any kind of admission that the art teaches "the concept of determining the geographical state of the correct escheat by comparing a property owner address to a US poster [sic.] service database."

Respectfully submitted,

THOMAS BERGER

A handwritten signature in black ink, appearing to read 'T. Galgano', is written over a horizontal line.

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